

Congress of the United States
Washington, DC 20515

146

February 22, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Pai:

We are writing to urge the FCC to include a tribal bidding credit in its Connect America Fund (CAF) Phase II Reverse Auction Order, which we understand is on the agenda for the February 23 Open Meeting. This credit is critically needed to encourage broadband deployment in Indian Country, the most unserved and underserved regions in our nation in terms of broadband access. CAF II has the potential to be a game changer for Native Americans across our nation, but it needs structural support from the FCC to see this realized.

The Connect America Fund is the FCC's primary program to expand access to broadband and voice services in unserved and underserved areas of our country. Chief among these areas are tribal lands, where 68 percent of rural areas lack access to broadband internet services. High poverty rates, lack of infrastructure, and oftentimes rugged terrain all contribute to the increased cost of installing, maintaining, and upgrading broadband infrastructure on tribal lands.

Our nation has a trust responsibility to ensure the cultural survival, well-being, and sovereignty of tribes and tribal members. Broadband services are critical to fulfilling this trust responsibility, connecting Native youth in the classroom, improving access to health care services through telemedicine, and enabling tribal members to pursue higher education using online resources. Our treatment of tribes in the past has created some of the greatest disparities of any cultural group in our nation; we have a responsibility to turn course and finally honor our treaty and trust obligations of our forefathers.

Without a tribal bidding credit, Indian Country will continue to fall behind in access to broadband and telephone services as providers build out other lower cost rural areas. Past incentives, such as the bidding credit included in the Mobility Fund and Rural Broadband Experiments have proven successful at fostering investment on tribal lands. Therefore we urge you to include a tribal bidding credit in any updated CAF bidding rule Order approved by the Commission.

Sincerely,


Raul Ruiz, M.D.
Member of Congress (CA-36)



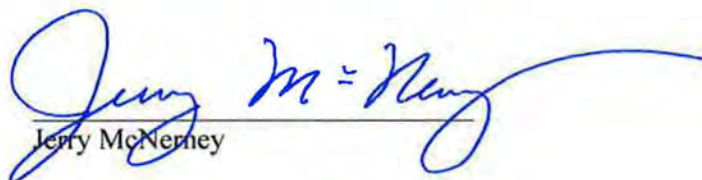
Tom Cole



Frank Pallone, Jr.



Keith Ellison



Jerry McNerney



Derek Kilmer



Raúl M. Grijalva



Gwen Moore



Tom O'Halleran




Darren Soto



Earl Blumenauer



Jared Huffman



Ben Ray Lujan



Stevan Pearce



Betty McCollum



Ro Khanna



Suzan K. DelBene



Michelle Lujan Grisham



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Darren Soto
U.S. House of Representatives
1429 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Soto:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

You wrote specifically about a tribal bidding credit in the Connect American Fund (CAF) Phase II competitive bidding process. Although the Commission remains committed to promoting deployment on Tribal lands, the CAF Phase II Auction Order did not include a Tribal-specific preference. *First*, the Commission recognizes that costs are higher on Tribal lands, and we have already incorporated that fact into the reserve prices offered to bidders. By doing this, we are offering more funding in high-cost Tribal areas, whereas a bidding credit would not afford any additional funding to those areas. *Second*, the Commission's decision to score the cost-effectiveness of Phase II auction bid relative to the reserve price will ensure that service providers that place cost-effective bids that commit to serve Tribal lands will be competitive with bids in lower-cost areas. *Third*, the Commission concluded our finite CAF Phase II budget should be stretched to cover the most cost-effective competitive bids on Tribal lands as well as other unserved areas in rural America. The Commission will also be able to observe bidders' behavior in the Phase II auction to determine how to best implement a targeted preference that will encourage deployment in areas remain unserved in the Remote Areas Fund auction.

In addition, I am proud to have proposed to my colleagues, and for the FCC to have adopted, the Tribal Mobility Fund Phase II at the Commission's February 23 meeting. That Fund will direct approximately \$340 million to build out 4G LTE coverage on Tribal lands. I have also asked the Commission's Office of Native Affairs and Policy to coordinate with the Wireless Telecommunications Bureau and the Wireline Competition Bureau to help direct that funding to reach Tribal members in remote areas that would otherwise be without access to next-generation services.

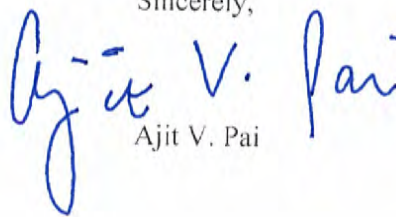
In the same vein, in early February, I circulated to my colleagues an order that would assist carriers serving Tribal lands in deploying, upgrading, and maintaining modern high-speed networks. The order recognizes that carriers serving Tribal lands incur costs that other rural carriers do not face, resulting in significantly higher operating expenses to serve very sparsely populated service areas. The proposal I have put before my colleagues would allow carriers serving Tribal lands a greater ability to recover operating expenses, thus improving the financial viability of operating a broadband network serving Tribal lands.

Page 2—The Honorable Darren Soto

Additionally, I directed the Universal Service Administrative Company to give additional time to Tribal families living in the remote reaches of the Navajo Nation to comply with a certification deadline for the Lifeline program. I have attached the letter I sent to Mr. Russell Begaye, President of the Navajo Nation, detailing that situation.

These are just some of the Commission's efforts to connect those on Tribal lands. I look forward to continue working with you as we move forward. Please let me know if I can be of any further assistance.

Sincerely,


Ajit V. Pai

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

Russell Begaye, President
The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Dear President Begaye,

Thank you for your recent letter regarding the challenges that families living in the remote reaches of the Navajo Nation faced with respect to the February 18, 2017 certification deadline for the Lifeline program. I agree with you that the members of the Nation are precisely those who most need the Lifeline program, and that forcing families to travel long distances through severe winter weather to reach a reporting station benefits no one and only endangers their safety.

That's why I have directed the Universal Service Administrative Company (USAC) to delay the certification deadline until long after the winter is over—until June 1, 2017. This additional three-and-a-half months is, I hope, sufficient for the Navajo Nation Telecommunications Regulatory Commission as well as Smith Bagley, Inc. d/b/a Cellular One to work with subscribers to complete the federal verification process. USAC staff and Commission staff have assured me that they stand ready to aid that process however they can.

Respectfully,

Ajit V. Pai
Chairman

P.S. Mr. President, I look forward to working with you on FCC-related issues involving the Navajo Nation. Please don't hesitate to get in touch if you would like to discuss.



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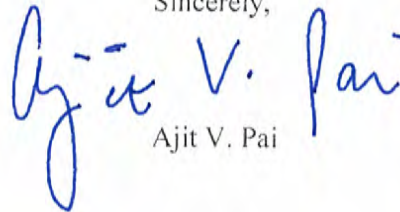
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Ajit V. Pai

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April 28, 2017

The Honorable Steve Pearce
U.S. House of Representatives
2432 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Pearce:

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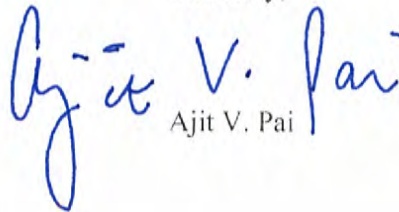
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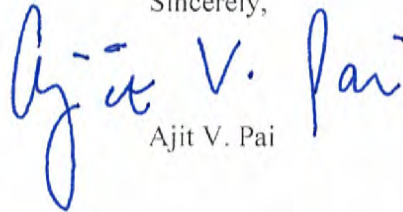
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Tom O'Halleran
U.S. House of Representatives
126 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman O'Halleran:

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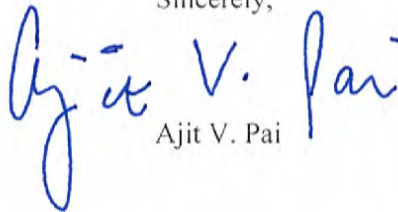
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Ajit V. Pai

Enclosure



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February 16, 2017

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April 28, 2017

The Honorable Gwen Moore
U.S. House of Representatives
2252 Rayburn House Office Building
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Dear Congresswoman Moore:

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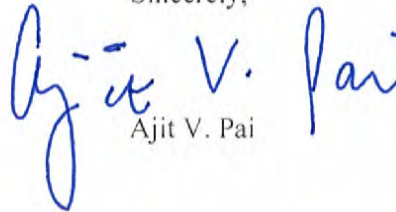
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That's why I have directed the Universal Service Administrative Company (USAC) to delay the certification deadline until long after the winter is over—until June 1, 2017. This additional three-and-a-half months is, I hope, sufficient for the Navajo Nation Telecommunications Regulatory Commission as well as Smith Bagley, Inc. d/b/a Cellular One to work with subscribers to complete the federal verification process. USAC staff and Commission staff have assured me that they stand ready to aid that process however they can.

Respectfully,

Ajit V. Pai
Chairman

P.S. Mr. President, I look forward to working with you on FCC-related issues involving the Navajo Nation. Please don't hesitate to get in touch if you would like to discuss.



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Jerry McNerney
U.S. House of Representatives
2265 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman McNerney:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

You wrote specifically about a tribal bidding credit in the Connect American Fund (CAF) Phase II competitive bidding process. Although the Commission remains committed to promoting deployment on Tribal lands, the CAF Phase II Auction Order did not include a Tribal-specific preference. *First*, the Commission recognizes that costs are higher on Tribal lands, and we have already incorporated that fact into the reserve prices offered to bidders. By doing this, we are offering more funding in high-cost Tribal areas, whereas a bidding credit would not afford any additional funding to those areas. *Second*, the Commission's decision to score the cost-effectiveness of Phase II auction bid relative to the reserve price will ensure that service providers that place cost-effective bids that commit to serve Tribal lands will be competitive with bids in lower-cost areas. *Third*, the Commission concluded our finite CAF Phase II budget should be stretched to cover the most cost-effective competitive bids on Tribal lands as well as other unserved areas in rural America. The Commission will also be able to observe bidders' behavior in the Phase II auction to determine how to best implement a targeted preference that will encourage deployment in areas remain unserved in the Remote Areas Fund auction.

In addition, I am proud to have proposed to my colleagues, and for the FCC to have adopted, the Tribal Mobility Fund Phase II at the Commission's February 23 meeting. That Fund will direct approximately \$340 million to build out 4G LTE coverage on Tribal lands. I have also asked the Commission's Office of Native Affairs and Policy to coordinate with the Wireless Telecommunications Bureau and the Wireline Competition Bureau to help direct that funding to reach Tribal members in remote areas that would otherwise be without access to next-generation services.

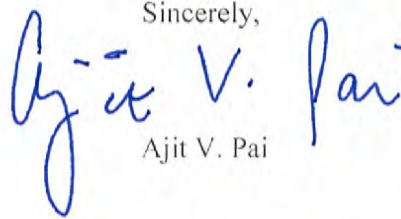
In the same vein, in early February, I circulated to my colleagues an order that would assist carriers serving Tribal lands in deploying, upgrading, and maintaining modern high-speed networks. The order recognizes that carriers serving Tribal lands incur costs that other rural carriers do not face, resulting in significantly higher operating expenses to serve very sparsely populated service areas. The proposal I have put before my colleagues would allow carriers serving Tribal lands a greater ability to recover operating expenses, thus improving the financial viability of operating a broadband network serving Tribal lands.

Page 2—The Honorable Jerry McNerney

Additionally, I directed the Universal Service Administrative Company to give additional time to Tribal families living in the remote reaches of the Navajo Nation to comply with a certification deadline for the Lifeline program. I have attached the letter I sent to Mr. Russell Begaye, President of the Navajo Nation, detailing that situation.

These are just some of the Commission's efforts to connect those on Tribal lands. I look forward to continue working with you as we move forward. Please let me know if I can be of any further assistance.

Sincerely,

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Ajit V. Pai

Enclosure



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 16, 2017

Russell Begaye, President
The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Dear President Begaye,

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Chairman

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Betty McCollum
U.S. House of Representatives
2256 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman McCollum:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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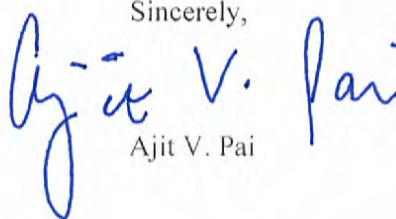
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Page 2—The Honorable Betty McCollum

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Ajit V. Pai

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

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The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

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Chairman

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Earl Blumenauer
U.S. House of Representatives
1111 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Blumenauer:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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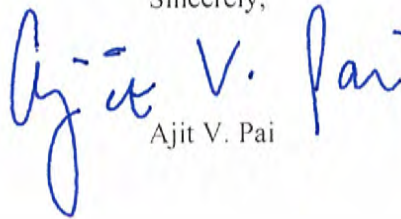
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Page 2—The Honorable Earl Blumenauer

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Ajit V. Pai

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

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The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

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Chairman

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Tom Cole
U.S. House of Representatives
2467 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Cole:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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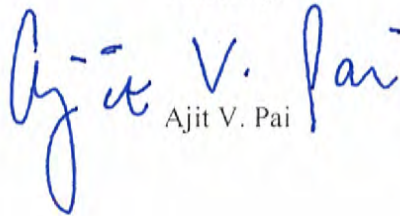
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Ajit V. Pai

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

Russell Begaye, President
The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Dear President Begaye,

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Ajit V. Pai
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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Suzan DelBene
U.S. House of Representatives
2442 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman DelBene:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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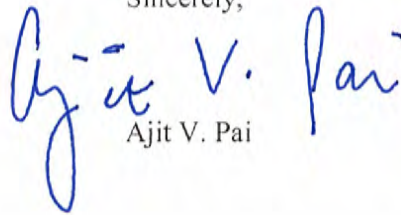
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Page 2—The Honorable Suzan DelBene

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Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Keith Ellison
U.S. House of Representatives
2263 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Ellison:

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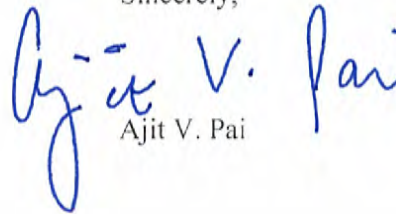
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Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Raúl M. Grijalva
U.S. House of Representatives
1511 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Grijalva:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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In addition, I am proud to have proposed to my colleagues, and for the FCC to have adopted, the Tribal Mobility Fund Phase II at the Commission's February 23 meeting. That Fund will direct approximately \$340 million to build out 4G LTE coverage on Tribal lands. I have also asked the Commission's Office of Native Affairs and Policy to coordinate with the Wireless Telecommunications Bureau and the Wireline Competition Bureau to help direct that funding to reach Tribal members in remote areas that would otherwise be without access to next-generation services.

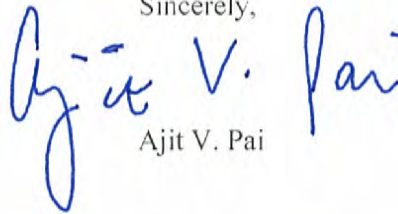
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Page 2—The Honorable Raúl M. Grijalva

Additionally, I directed the Universal Service Administrative Company to give additional time to Tribal families living in the remote reaches of the Navajo Nation to comply with a certification deadline for the Lifeline program. I have attached the letter I sent to Mr. Russell Begaye, President of the Navajo Nation, detailing that situation.

These are just some of the Commission's efforts to connect those on Tribal lands. I look forward to continue working with you as we move forward. Please let me know if I can be of any further assistance.

Sincerely,

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Ajit V. Pai

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

Russell Begaye, President
The Navajo Nation
P.O. Box 7440
Window Rock, AZ 86515

Dear President Begaye,

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Respectfully,

Ajit V. Pai
Chairman

P.S. Mr. President, I look forward to working with you on FCC-related issues involving the Navajo Nation. Please don't hesitate to get in touch if you would like to discuss.



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Jared Huffman
U.S. House of Representatives
1406 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Huffman:

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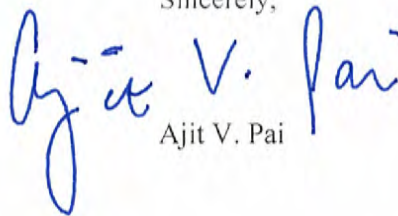
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Ajit V. Pai

Enclosure





FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

February 16, 2017

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Rohit Khanna
U.S. House of Representatives
513 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Khanna:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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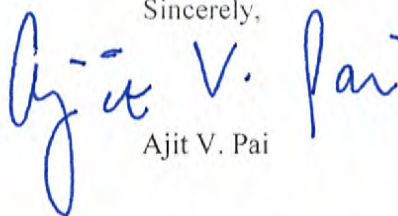
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Enclosure



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 16, 2017

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Window Rock, AZ 86515

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Derek Kilmer
U.S. House of Representatives
1520 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Kilmer:

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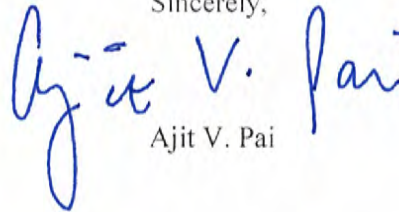
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Enclosure





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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 16, 2017

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Michelle Lujan Grisham
U.S. House of Representatives
214 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Lujan Grisham:

Thank you for your letter recalling our nation's trust responsibility to Americans living on Tribal lands. One of my top priorities as Chairman is closing the digital divide and accelerating the deployment of broadband to all Americans. Last September, I explained that "... 41% of those living on Tribal lands lack adequate access" to broadband. I also laid out my Digital Empowerment Agenda, which seeks to empower those living in Indian Country, in high-cost rural areas, in low-income neighborhoods, and other Americans that haven't had access to affordable, high-speed broadband Internet access with digital opportunity.

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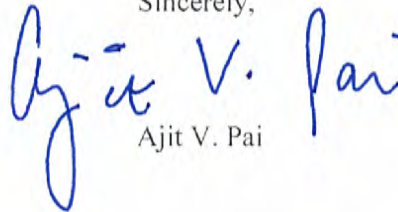
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THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 28, 2017

The Honorable Ben Ray Luján
U.S. House of Representatives
2231 Rayburn House Office Building
Washington, D.C. 20515

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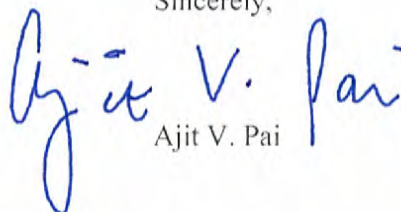
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